



Docket No.: C1039.70083US00
(PATENT)

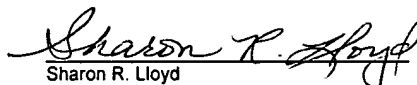
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Arthur M. Krieg et al.
Serial No.: 10/690,495
Confirmation No.: 8657
Filed: October 21, 2003
For: IMMUNOMODULATORY OLIGONUCLEOTIDES
Examiner: Nina Archie
Art Unit: 1645

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 25, 2007


Sharon R. Lloyd

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed September 28, 2006, Applicant hereby elects Group I, consisting of claims 52-64, for continued examination.

Applicant further elects a species of lipid and a further species of liposome. Applicants acknowledge the examiner's indication that upon the allowance of a generic claim, the claims to non-elected species will be searched and examined.

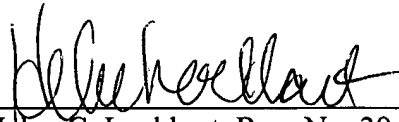
Applicant requests rejoinder of Group II should the Group I claims be found allowable, provided that the Group II claims depend from or otherwise include all the limitations of the allowable Group I claims.

Having made this election, Applicant expressly reserves the right to file one or more divisional applications on the subject matter of the unelected claims if not later rejoined.

Summary

If the Examiner has any questions and believes that a telephone conference with Applicant's representative would prove helpful in expediting the prosecution of this application, the Examiner is urged to call the undersigned at 1-617-646-8266.

Respectfully submitted,



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Date: January 25, 2007
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